



ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-1017; FRL-9384-7]

Product Cancellation Order for Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's order for the cancellations, voluntarily requested by the registrants and accepted by the Agency, of the products listed in Table 1 and Table 2 of Unit II., pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows a February 20, 2013 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 3 of Unit II. to voluntarily cancel these product registrations. In the February 20, 2013 notice, EPA indicated that it would issue an order implementing the cancellations, unless the Agency received substantive comments within the 30 day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency did not receive any comments on the notice. Further, the registrants did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations. Any distribution, sale, or use of the products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

DATES: The cancellations are effective as noted in Unit IV of this cancellation order.

FOR FURTHER INFORMATION CONTACT: John W. Pates, Jr., Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8195; email address: pates.john@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since

others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

B. How Can I Get Copies of this Document and Other Related Information?

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2009-1017, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

II. What Action is the Agency Taking?

This notice announces the cancellation, as requested by registrants, of 39 products registered under FIFRA section 3. These registrations are listed in sequence by registration number in Table 1 and Table 2 of this unit.

Table 1.—Product Cancellations

EPA Registration Number	Product Name	Chemical Name
000279-03153	Firstline Termite Bait Station	Sulfuramid
000279-03170	Firstline Termite Bait Tube Station	Sulfuramid
000279-03171	Firstline Termite Bait Container Station	Sulfuramid
000279-03196	Firstline GT Plus Termite Bait Station	Sulfuramid
000432-01334	Tempo Liquid Concentrate	Cyfluthrin
000432-01358	Tempo 20% Dry Concentrate	Cyfluthrin
000499-00518	Prescription Treatment Brand 2% Propoxur Bait	Propoxur
000499-00532	TC 277	Piperonyl butoxide, Pyrethrins (No Inert Use)
007173-00283	Difethialone Bait Station	Difethialone
007173-00285	Difethialone 6G Paste Place Packs	Difethialone
009404-00087	Permethrin 0.25% Insecticide Granules	Permethrin
009404-00088	Sunniland Chinch Bug &	Permethrin

	Mole Cricket Spray	
039959-00001	A-106	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride
039959-00002	7618	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride
039959-00003	7619	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride
045385-00001	Chem-Tox Roach and Ant Spray with Baygon	Propoxur, Piperonyl butoxide, Pyrethrins (No Inert Use)
045385-00025	Chem-Tox Pyronox Dual 0.1	MGK 264, Piperonyl butoxide, Pyrethrins (No Inert Use)
045385-00082	Cenol Small Animal and Kennel Spray	Piperonyl butoxide, Pyrethrins (No Inert Use)
046043-00031	Suncoast's Pool Algaecide 20	Poly(oxy-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl(dimethylimino)-1,2-ethanediyl dichloride
047000-00168	R&M Permethrin Flea & Tick Dip #1	Permethrin
060061-00017	Woodtreat C8 Concentrate	Copper, bis(8-quinolinolato-N1,O8)-
060061-00018	Woodtreat C8 Ready To Use	Copper, bis(8-quinolinolato-N1,O8)-
060061-00022	Woodtreat C81 Ready To Use Water Repellent Fungicide	Copper, bis(8-quinolinolato-N1,O8)-
074601-00001	Chlorothalonil Technical Fungicide	Chlorothalonil
085905-00005	CFL 3% Diflubenzuron Feedthrough	Diflubenzuron
086869-00002	Propiconazole Select	Propiconazole
ME070001	Devrinol 50-DF	Napropamide
MI070004	Kerb 50-W	Propyzamide

Table 2.—Oxydemeton-methyl (ODM) Product Cancellations

EPA Registration Number	Product Name	Chemical Name
007946-00010	Inject-A-Cide	Oxydemeton-methyl
010163-00219	MSR 50% Concentrate Insecticide	Oxydemeton-methyl
010163-00220	MSR Spray Concentrate	Oxydemeton-methyl
064014-00009	Harpoon	Oxydemeton-methyl
CA010003	MSR Spray Concentrate	Oxydemeton-methyl
FL960006	Metasystox-R-Spray Concentrate	Oxydemeton-methyl
ID010011	Metasystox-R-Spray Concentrate	Oxydemeton-methyl
NY030002	Metasystox-R-Spray Concentrate	Oxydemeton-methyl
WA030001	Metasystox-R-Spray Concentrate	Oxydemeton-methyl
WA030002	Metasystox-R-Spray Concentrate	Oxydemeton-methyl
WA060005	MSR Spray Concentrate	Oxydemeton-methyl

Table 3 of this unit includes the names and addresses of record for all registrants of the products in Table 1 and Table 2 of this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed in Table 1 and Table 2 of this unit.

Table 3.--Registrants of Cancelled Products

EPA Company Number	Company Name and Address
279	FMC Corp, Agricultural Products Group 1735 Market St., Room 1978 Philadelphia, PA 19103
432	Bayer Environmental Science 2 T.W. Alexander Dr., P.O. Box 12014 Research Triangle Park, NC 27709
499	Whitmore Micro-Gen Research Laboratories, Inc. Agent: BASF Corporation 3568 Tree Court Industrial Blvd. St. Louis, MO 63122-6682
7173	Liphatech, Inc. 3600 W. Elm St., Milwaukee, WI 53209
7946	J.J. Mauget Co. Agent: Scireg, Inc. 12733 Director's Loop Woodbridge, VA 22192
9404	Sunniland Corporation P.O. Box 8001 Sanford, FL 32772-8001
10163	Gowan Company P.O. Box 5569 Yuma, AZ 85366-8844
39959	Chemicals Inc. 13560 Colombard Ct., Fontana, CA 92337
45385	CTX-Cenol, Inc. Agent: H.R. Mclane, Inc. 7210 Red Rd Suite 206A Miami, FL 33143
46043	Suncoast Chemicals Co. 14480 62nd St., North Clearwater, FL 33760
47000	Chem-Tech, Ltd. 4515 Fleur Dr. #303 Des Moines, IA
60061	Kop-Coat, Inc. 3020 William Pitt Way Pittsburgh, PA 15238
64014	Florida Silvics Inc. D/B/A Tree Tech Microinjection Systems 950 SE., 215th Ave.

	Morrison, FL 32668
74601	Oxon Italia S.P.A. Agent: Lewis & Harrison, LLC 122 C St., NW., Suite 740 Washington, D C 20001
81880	Canyon Group LLC C/O Gowan Company 370 S. Main St., Yuma, AZ 85364
85905	Champion Farmaquimico LTDA Agent: J&T Associates LLC 4061 North 156th Dr., Goodyear, AZ 85395
86869	Select Source, LLC. Agent: Wagner Regulatory Associates, Inc. P.O. Box 640 Hockessin, DE 19707
88058	Orion Ato, LLC Agent: source Dynamics LLC S122230 E. Del Norte Yuma, AZ 85377-7355
CA010003, FL960006, ID010011, NY030002, WA030001, WA030002, WA060005	Gowan Company P.O. Box 5569 Yuma, AZ 85366-8844
ME070001	United Phosphorus, Inc 630 Freedom Business Center Suite 402 King of Prussia, PA 19406
MI070004	Dow AgroSciences LLC 9330 Zionsville Rd., 308/2E Indianapolis, IN 46268-1054

III. Summary of Public Comments Received and Agency Response to Comments

During the public comment period provided, EPA received no comments in response to the February 20, 2013 **Federal Register** notice announcing the Agency's receipt of the requests for voluntary cancellations of products listed in Table 1 and Table 2 of Unit II.

IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of the registrations identified in Table 1 and Table 2 of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Table 1 and Table 2 of Unit II. are canceled. The effective date of the cancellation of the products listed in Table 1 of this notice is *[insert date of publication of this cancellation order in the **Federal Register**]*. The effective date of cancellation of the products listed in Table 2 is December 31, 2014. Any distribution, sale, or use of existing stocks of the products identified in Table 1

and Table 2 of Unit II. in a manner inconsistent with any of the provisions for disposition of existing stocks set forth in Unit VI. will be a violation of FIFRA.

V. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, following the public comment period, the EPA Administrator may approve such a request. The notice of receipt for this action was published for comment in the **Federal Register** issue of February 20, 2013 (78 FR 11881) (FRL-9378-9). The comment period closed on March 22, 2013.

VI. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. The existing stocks provisions for the products subject to this order are as follows.

1. *For Products 007173-00283 and 007173-00285 identified in Table 1:* Because the Agency has identified significant potential risk concerns associated with these pesticide products, EPA prohibits the sale or distribution of existing stocks by the registrant, except for export consistent with FIFRA section 17 or for proper disposal. Persons other than the registrant will be allowed to sell or distribute existing stocks of products, until such stocks are exhausted. Users will be allowed to use existing stocks regardless of the date of purchase until such stocks are exhausted, provided that such use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled product.

2. *For all other products identified in Table 1:* The registrants may continue to sell and distribute existing stocks of products listed in Table 1 of Unit II. until [*insert date 365days after publication of the Cancellation Order in the Federal Register*], which is 1 year after the publication of the Cancellation Order in the **Federal Register**. Thereafter, the registrants are prohibited from selling or distributing products listed in Table 1, except for export in accordance with FIFRA section 17, or proper disposal. Persons other than the registrants may sell, distribute, or use existing stocks of products listed in Table 1 of Unit II. until existing stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

3. *For all products listed in Table 2:* After December 31, 2014, registrants are prohibited from selling or distributing existing stocks of products containing ODM. After December 31, 2016, persons other than registrants are prohibited from selling or distributing existing stocks of products containing ODM. After December 31, 2016, existing stocks of products containing ODM already in the possession of end users can be used legally until they are exhausted, provided that such use complies with the EPA-approved label and labeling of the affected product.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: April 23, 2013.

Richard P. Keigwin, Jr.,

Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

[FR Doc. 2013-10188 Filed 04/30/2013 at 8:45 am; Publication Date: 05/01/2013]